

1F04

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/734,076

Filing Date

December 10, 2003

First Named Inventor

Carlos A. SCHULER

Art Unit

3743

Examiner Name

UNASSIGNED

Attorney Docket Number

0130.00

### ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/  
Incomplete Application

☐

Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a  
Provisional Application

☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board  
of Appeals and Interferences

☐

Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify  
below):

PTO/SB/08A & B; 20 Cited  
References; and Return Receipt  
Postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

NEKTAR THERAPEUTICS

Signature

Printed name

Guy V. Tucker

Date

09/10/2004

Reg. No.

45,302

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Anna Tran

Date

11/09/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Carlos A. SCHULER et al. )

Atty. Docket No.: 0130.00

Examiner: UNASSIGNED

Application No.: 10/734,076 )

Group Art Unit: 3743

Filed: 12/10/2003 )

Title: METERED DOSE INHALER WITH LOCKOUT )

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450 on 11-09-2006

Signed: \_\_\_\_\_

**INFORMATION DISCLOSURE STATEMENT**

**UNDER 37 CFR §1.56, §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The references listed in the attached Forms PTO/SB/08A and B may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56, 1.97, and 1.98. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

This Information Disclosure Statement is being timely filed under 37 CFR §§1.97 and is being filed:

Attorney Docket No. 0130.00

- ☒ within three months of the filing date of a national application or an RCE; within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or before the mailing date of a first Office action on the merits (whichever event occurs last);

Additionally, pursuant to the duty of disclosure set forth in 37 CFR 1.56 and in accordance with the provisions of 37 CFR 1.97 and 1.98, the following commonly assigned, co-pending application is brought to the attention of the Examiner.

U.S. Application No. 09/852,408 in the name of Nektar Therapeutics filed on 05/09/01.

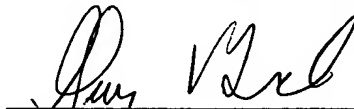
- ☐ Attached is Check No. \_ in the amount of \$0.
- ☐ Please charge the amount of \$\_\_\_ to Deposit Account 500348
- ☒ If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500348.

Respectfully submitted,

NEKTAR THERAPEUTICS

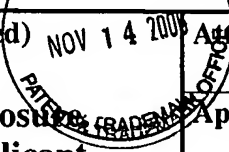
Dated: 09 Nov 2006

By:



Guy V. Tucker  
Reg. No. 45,302

NEKTAR THERAPEUTICS  
150 Industrial Road  
San Carlos, CA 94070  
(650) 631-3100



|   |                                     |                                       |
|---|-------------------------------------|---------------------------------------|
| <b>Form PTO/SB/08A (Modified)</b><br><br><b>Information Disclosure<br/>Statement By Applicant</b><br><br><i>(Use Several Sheets if Necessary)</i> | <b>Att'y Docket No.:</b><br>0130.00 | <b>Application No.:</b><br>10/734,076 |
| <b>Applicant:</b><br>Carlos A. SCHULER et al.   |                                     |                                       |
| <b>Filing Date:</b><br>12/10/2003   |                                     | <b>Group:</b><br>3743                 |

### U.S. Patent Documents

| Examiner<br>Initial | No. | Patent No. | Date       | Patentee         | Class | Sub-<br>Class | Filing<br>Date |
|---------------------|-----|------------|------------|------------------|-------|---------------|----------------|
|                     | A   | 4,677,975  | 07/07/1987 | Edgar et al.     |       |               |                |
|                     | B   | 4,934,358  | 06/19/1990 | Nilsson et al.   |       |               |                |
|                     | C   | 4,955,371  | 09/11/1990 | Zamba et al.     |       |               |                |
|                     | D   | 4,984,158  | 01/08/1991 | Hillsman         |       |               |                |
|                     | E   | 5,118,494  | 06/02/1992 | Schultz et al.   |       |               |                |
|                     | F   | 5,215,079  | 06/01/1993 | Fine et al.      |       |               |                |
|                     | G   | 5,284,133  | 02/08/1994 | Burns et al.     |       |               |                |
|                     | H   | 5,392,768  | 02/28/1995 | Johansson et al. |       |               |                |
|                     | I   | 5,458,135  | 10/17/1995 | Patton et al.    |       |               |                |
|                     | J   | 5,492,688  | 02/20/1996 | Byron et al.     |       |               |                |
|                     | K   | 5,497,764  | 03/12/1996 | Ritson et al.    |       |               |                |
|                     | L   | 5,507,277  | 04/16/1996 | Rubsamen et al.  |       |               |                |
|                     | M   | 5,605,674  | 02/25/1997 | Purewal et al.   |       |               |                |
|                     | N   | 5,655,520  | 08/12/1997 | Howe et al.      |       |               |                |
|                     | O   | 5,683,677  | 11/04/1997 | Purewal et al.   |       |               |                |
|                     | P   | 5,692,492  | 12/02/1997 | Bruna et al.     |       |               |                |
|                     | Q   | 5,694,919  | 12/09/1997 | Rubsamen et al.  |       |               |                |
|                     | R   | 5,724,957  | 03/10/1998 | Rubsamen et al.  |       |               |                |
|                     | S   | 5,735,263  | 04/07/1998 | Rubsamen et al.  |       |               |                |
|                     | T   | 5,740,794  | 04/21/1998 | Smith et al.     |       |               |                |
|                     | U   | 5,775,320  | 07/07/1998 | Patton et al.    |       |               |                |
|                     | V   | 5,785,049  | 07/28/1998 | Smith et al.     |       |               |                |
|                     | W   | 5,833,066  | 11/10/1998 | Hargus et al.    |       |               |                |
|                     | X   | 5,910,301  | 06/08/1999 | Farr et al.      |       |               |                |
|                     | Y   | 5,915,378  | 06/29/1999 | Lloyd et al.     |       |               |                |
|                     | Z   | 5,922,675  | 07/13/1999 | Baker et al.     |       |               |                |
|                     | AA  | 6,029,661  | 02/29/2000 | Whaley et al.    |       |               |                |
|                     | BB  | 6,089,228  | 07/18/2000 | Smith et al.     |       |               |                |
|                     | CC  | 6,142,339  | 11/07/2000 | Blacker et al.   |       |               |                |
|                     | DD  | 6,234,366  | 05/22/2001 | Fuchs            |       |               |                |

**Examiner:**

**Date Considered:**

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

|   |   |                                       |
|---|---|---------------------------------------|
| <b>Form PTO/SB/08A (Modified)</b><br><br><b>Information Disclosure<br/>Statement By Applicant</b><br><br><i>(Use Several Sheets if Necessary)</i> | <b>Atty Docket No.:</b><br>0130.00            | <b>Application No.:</b><br>10/734,076 |
|   | <b>Applicant:</b><br>Carlos A. SCHULER et al. |                                       |
|   | <b>Filing Date:</b><br>12/10/2003             | <b>Group:</b><br>3743                 |

**U.S. Patent Documents**

| Examiner<br>Initial | No. | Patent No. | Date       | Patentee       | Class | Sub-<br>Class | Filing<br>Date |
|---------------------|-----|------------|------------|----------------|-------|---------------|----------------|
|                     | EE  | 6,257,233  | 07/10/2001 | Burr et al.    |       |               |                |
|                     | FF  | 6,260,549  | 07/17/2001 | Sosiak         |       |               |                |
|                     | GG  | 6,273,084  | 08/14/2001 | Frid           |       |               |                |
|                     | HH  | 6,309,623  | 10/30/2001 | Weers et al.   |       |               |                |
|                     | II  | 6,606,992  | 08/19/2003 | Schuler et al. |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |
|                     |     |            |            |                |       |               |                |

|                  |                         |
|------------------|-------------------------|
| <b>Examiner:</b> | <b>Date Considered:</b> |
|------------------|-------------------------|

Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



